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| 10/692,478 | 10/24/2003 | Takashi Okazawa | CFA00014US | 3444 |
| 34904 7590 12/05/2008 CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION 15975 ALTON PARKWAY IRVINE, CA 92618-3731 | | | | |
| EXAMINER | | | | |
| GARCIA, GABRIEL I | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2625 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/692,478

Applicant(s)

OKAZAWA, TAKASHI

Examiner

GABRIEL I. GARCIA

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Part III DETAILED ACTION

1. This application has been examined. Claims 1-13 are pending in this application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shima et al. (6,819,443) in view of Shiohara (6,804,019).

With regard to claim 1, Shima et al. teaches a printing (e.g. figs. 1-5) comprising: a print control device (39); a network interface (41) device that is connecting the print control device (39) to a network (9); an information processing device (3) that is connected to the print control device (39) through an interface different (33) from the network interface device (41); an input unit for inputting a print instruction for printing according to a user operation 9reads an acquisition unit, arranged in the print control device, for acquiring information of the interface device from the network interface (reads on figs 1-3, clearly information can be acquire from the information processing

device (or host) relating to the communication task of the interface), and transmitting unit for transmitting information acquired by the acquisition unit from the print control device to the information processing device through the interface different from the network interface device (reads on figs 1-3, clearly information can be transmitted when it is received from the network interface to the information processing device by using the parallel port of the printing device; and generating unit, arranged in the information processing device, for generating print data representing the information of the network interface device based on the information transmitted from the transmitting unit (reads on fig. 3, which describes how the data can be generated and can be transmitted to the printing device). Shima et al. does not teach the acquiring information being configuration information of the network interface device. Shiohara (in the same field of endeavor, "network printing") teaches that it is well known in the art at the time of the invention device to send network configuration to a network interface device (e.g. figs. 1-2, fig. 2, depicts how the network interface device 41, can transmit configuration information (48) to the host (1)).

Therefore, it would have been obvious to one of ordinary skill in the art to provide the means to use the network configuration information as taught by Shiohara to the system of Shima et al. because of the following reasons: 1) it would allow the system of Shima et al. to use different network configuration allowing different computers system to use the printing device, and 2) as suggested by Shiohara in col. 2, lines 7-20.

With regard to claim 2, the combination of Shima et al. and Shiohara teach the use of the transmitting and communication of network configuration information and the ability

for the printer to communicate information through a different interface (parallel), (see claims 1 above) and Shima inherently suggests using commands to get information back and forth between the image processing device and the printing device (see figs 1-3, clearly the communication interfaces 33 or 41 allow user to receive and send commands or different configurations to the printer such as resource information).

With regard to claim 3, the combination of Shima et al. and Siohara teach the use of the network configuration information (see claims 1 above) and Shima teaches a dedicated signal line to acquire the information of the network interface device (reads on fig. 2, which depicts a dedicated signal line between the CPU and the network interface) .

With regard to claim 4, the combination of Shima et al. and Siohara teach the use of the network configuration information (see claims 1 above) and Siohara further teaches the use of a predetermined format (reads on figs. 4 and 5) . Therefore, it would have been obvious to one of ordinary skill in the art to provide the means to use the network configuration information having a predetermined format as taught by Shiohara to the system of Shima et al. because of the following reasons: 1) it would allow the system of Shima et al. to use different network configuration allowing different computers system having different format to use the printing device, and 2) as suggested by Siohara in col. 2, lines 7-20.

Shima teaches a dedicated signal line to acquire the information of the network interface device (reads on fig. 2, which depicts a dedicated signal line between the CPU and the network interface) . .

With regard to claims 5-9, the limitations of claims 5-9 are covered by the limitations of claims 1-4 above.

With regard to the computer program code claims 10-13, the limitations of claims 10-13 are covered by the limitations claims 1-4 above. The steps of the system claims 1-4 can be program within the memory of Shima.

Conclusion

3. Applicant's arguments filed 8/27/08 have been fully considered but they are not persuasive. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Examiner maintains that prior art of record teaches the claimed invention as recited by the pending claims.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Gabriel I. Garcia** whose telephone number is (571) 272-7434. The examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM.. The fax phone number for this group is (571) 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2625

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

/Gabriel I Garcia/

Primary Examiner, Art Unit 2625

Gabriel I. Garcia
Primary Examiner
December 2, 2008